
ENGROSSED SUBSTITUTE HOUSE BILL 1516

State of Washington

61st Legislature

2009 Regular Session

By House Agriculture & Natural Resources (originally sponsored by Representatives Blake and Kretz)

READ FIRST TIME 02/20/09.

1 AN ACT Relating to recovering gear used in the coastal Dungeness
2 crab fisheries; amending RCW 63.21.080; and adding a new section to
3 chapter 77.70 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.70 RCW
6 to read as follows:

7 (1)(a) As part of a coastal commercial Dungeness crab pot removal
8 program, the department shall issue a crab pot removal permit that
9 allows the participants in the Dungeness crab-coastal fishery created
10 in RCW 77.70.280 to remove crab pots belonging to state commercial
11 licensed crab fisheries from coastal marine waters after the close of
12 the primary commercial Dungeness crab-coastal harvest season,
13 regardless of whether the crab pot was originally set by the
14 participant or not. Nothing in this section prohibits the department
15 from exempting certain crab pots from the coastal commercial Dungeness
16 crab pot removal program or from restricting crab pot removal
17 activities to specific geographic areas.

18 (b) The director may adopt rules to provide for a permit system
19 that allows for the lawful and orderly removal of lost or abandoned

1 crab pots. In cooperation with individuals with a current commercial
2 Dungeness crab-coastal license, the department may consider expansion
3 of the coastal commercial Dungeness crab pot removal program to times
4 outside of the primary season as defined by the terms of a valid
5 permit.

6 (c) Beginning fifteen days after the close of the primary
7 commercial Dungeness crab-coastal harvest season, any individual with
8 a current commercial Dungeness crab-coastal license and a valid crab
9 pot removal permit issued by the department may remove a crab pot or
10 crab pots used to harvest Dungeness crabs remaining in marine waters
11 after the close of the primary commercial Dungeness crab-coastal
12 harvest season.

13 (2) An individual participating in permitted crab pot removal
14 activities in coastal marine waters who has a valid crab pot removal
15 permit, and who adheres to the provisions of the permit as they relate
16 to crab pot removal, is exempt from complying with the lost and found
17 property provisions in chapter 63.21 RCW. The individual who removes
18 the crab pot under a valid crab pot removal permit takes the property
19 free and clear of all claims of the owner or previous holder and free
20 and clear of all individuals claiming ownership under the previous
21 owner.

22 **Sec. 2.** RCW 63.21.080 and 1994 c 51 s 6 are each amended to read
23 as follows:

24 This chapter shall not apply to:

- 25 (1) Motor vehicles under chapter 46.52 RCW;
- 26 (2) Unclaimed property in the hands of a bailee under chapter 63.24
27 RCW;
- 28 (3) Uniform disposition of unclaimed property under chapter 63.29
29 RCW; (~~and~~)
- 30 (4) Secured vessels under chapter (~~88.27~~) 79A.65 RCW; and
- 31 (5) Crab pots in coastal marine waters under section 1 of this act.

--- END ---